REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicants thank the Examiner for carefully considering this application and for indicating that the drawings filed on June 26, 2003 are accepted.

Disposition of Claims

Claims 1-25 are currently pending in this application. By way of this reply, claims 3, 12, and 21 are canceled. Claims 1, 10, and 19 are independent. The remaining claims depend, directly or indirectly, from claims 1, 10, and 19.

Claim Amendments

By way of this reply, claims 1, 2, 4-11, 13-16, 18-20, and 22-25 are amended. Claims 1, 2, 5-11, 14-16, 18, 19, 20, and 22-25 are amended to clarify the scope of the invention. Further, independent claims 1, 10, and 19 are amended to include some limitations of cancelled dependent claims 3, 12, and 21, respectively. Dependent claims 2, 7, 11, 16, 20, 22, and 25 are also amended to clarify antecedent basis. Dependent claims 4 and 13 are amended to depend from claims 1 and 10, respectively, rather than from cancelled claims 3 and 12. No new matter is added by way of these amendments. Support for these amendments can be found, for example, in page 4 of the specification.

Rejections under U.S.C. § 103

The claimed invention is directed to controlling access to resources efficiently and reliably. Requests for access to resources are evaluated based on locally stored policy decisions in one locality and policy decisions are made in a separate, remote locality, *i.e.*, the remote source of policy definitions. The local storage of policy decisions allows request evaluations to be made efficiently without the necessity of making a policy decision each time a request is received. Further, in order to ensure the reliability of the locally stored policy decisions that are

based on remotely stored policy definitions, notifications are received from the remote source of policy definitions that the locally stored policy decisions are affected by changes in a policy definition. Thus, the claimed invention allows for an efficient and reliable evaluation of a request.

To establish a *prima facie* case of obviousness under 35 U.S.C. § 103(a), "the prior art reference (or references when combined) must teach or suggest all the claim limitations." MPEP § 2143.03. Further, "all words in a claim must be considered in judging the patentability of that claim against the prior art." MPEP § 2143.03. Furthermore, "[i]f the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious." MPEP § 2143.01 VI.

Claims 1-7, 9-16, 18-22, 24, and 25 stand rejected under U.S.C. § 103(a) as being unpatentable over U.S. Pub. No. 2003/0115322 (hereinafter "Moriconi") in view of U.S. Pub. No. 2005/0021818 (hereinafter "Singhal"). Claims 3, 12, and 21 are canceled in this reply. Thus, this rejection is now moot with respect to the canceled claims. To the extent that this rejection may still apply to the remainder of the claims, the rejection is traversed.

Applicants assert that the references, when combined, fail to teach or suggest all the claim limitations of amended independent claims 1, 10, and 19. Independent claim 1, as amended, recites, in part,

> storing a *policy decision* for a resource in *local memory*, said policy decision received from a remote source of policy definitions, said policy decision *based on a policy definition*...
>
> receiving a *notification* from said remote source that *said policy decision in said local memory is affected* by a change in said policy definition...

(Emphasis added.) Amended independent claims 10 and 19 recite similar limitations.

Moriconi is directed to a system and method for enforcing security requirements in a distributed network. The system disclosed by Moriconi includes a policy manager on a server in the network that manages a global security policy and an application guard on a client or client server that includes *a local client security policy derived from the global security policy.* Further, the application guard includes an authorization engine that grants or denies each request (*i.e.*, makes a policy decision) for access to a securable component based on the local client security policy. *See, e.g.*, paragraphs [0046], [0047], [0075], [0076] of Moriconi. As the Examiner admits, Moriconi is completely silent regarding receiving policy decisions by the application guard and storing *policy decisions* in local memory of the application guard. See Office Action dated October 2, 2007 at page 3.

The Examiner erroneously asserts that Moriconi discloses receiving a notification. *See* Office Action dated October 2, 2007 at page 5. Moriconi teaches that when policy rules in the global security policy are changed that affect the policy rules in the local client security policy, the policy manager automatically *distributes the changed policy rules* to the application guard. *See* paragraph [0082] of Moriconi. That is, the application guard does not *receive a notification* that a policy rule in the global security policy has changed that affects a locally stored policy rule. Rather, the changed policy rules are *automatically sent* to the application guard. Clearly, equating automatic distribution of changed policy rules to notifying of a change (*i.e.*, serving notice of a change) is wholly improper and nonsensical to one skilled in the art.

Singhal does not disclose what Moriconi lacks. Singhal discloses an Application Intermediation Gateway (AIG) that connects a plurality of core network elements to a plurality of network resources such as content providers, third party application providers, and partner portals. The AIG provides access to the network resources by implementing application level policies. The decisions on the application level policies are provided to the AIG by a policy

decision point. *See, e.g.,* paragraph [0030] of Singhal. Policy decisions received by the AIG may be locally cached in a local policy decision store to avoid requesting policy decisions every time from the policy decision point. *See, e.g.,* paragraph [0062] of Singhal. However, Singhal is completely silent regarding what happens if an application level policy at a policy decision point is changed that may affect a policy decision previously provided to the AIG. More specifically, Singhal is completely silent regarding receiving a notification that a policy decision may be affected by a change in the application level policy that the decision is based on.

Thus, the combination of Moriconi and Singhal cannot possibly be construed to disclose receiving a notification that a policy decision stored in local memory is affected by a change in a policy definition as required by the independent claims without ignoring express limitations of the claims and/or misconstruing the teachings of the prior art, both of which are wholly improper.

Further, MPEP § 2143.01 makes clear that if the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious. To effect the combination suggested by the Examiner would require that the policy manager of Moriconi make policy decisions and send those decisions to the application guard. The application guard would be required to receive the policy decisions and act on them rather than making the decisions. Indeed, the policy manager of Moriconi has no capability to make and send policy decisions. Making the policy decisions is a primary function of the application guard. Thus, the suggested combination of Moriconi and Singhal would require "a substantial reconstruction and redesign" of Moriconi as well as a change in the basic principle of operation of Moriconi (*i.e.*, that policy decisions are made by an application guard, not the policy

manager). *In re Ratti*, 270 F.2d 810, 813 (CCPA 1959). Thus, there is no motivation to combine Moriconi with Singhal.

In view of the above, Moriconi and Singhal, whether considered separately or in combination, fail to teach or suggest all of the limitations of amended independent claims 1, 10, and 19. Thus, independent claims 1, 10, and 19 are patentable over Moriconi and Singhal. Claims 2, 4-7, 9, 11, 13-16, 18, 20-22, and 24-25, which depend directly or indirectly from independent claims 1, 10, and 19, are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 8, 17, and 23 stand rejected under U.S.C. § 103(a) as being unpatentable over Moriconi in view of Singhal and further in view of U.S. Pat. No. 20040054971 (hereinafter "Chakraborty"). As stated above, Moriconi and Singhal fail to teach or suggest the limitations of independent claims 1, 10, and 19. Applicants assert that Chakraborty does not teach what Moriconi and Singhal lack, as evidenced by the fact that the Examiner relies on Chakraborty solely for the purpose of disclosing a period of time that policy information is valid. *See* Office Action dated October 2, 2006 at page 11.

In view of the above, Moriconi, Singhal, Chakraborty fail to teach or suggest all the limitations of independent claims 1, 10, and 19, whether considered separately or in combination. Claims 8, 17, and 23, which depend from independent claims 1, 10 and 19, are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is requested.

Conclusion

Applicants believe this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 03226/496001; P9016).

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